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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Valeant Pharmaceuticals North America (formerly known as Xcel Pharmaceuticals, Inc.)Application No./Patent No.: 6538151 Filed/Issue Date: March 25, 2003Entitled: NOVEL MODIFICATIONS OF 2-AMINO-4-(4-FLUOROBENZYLAMINO)-1-ETHOXYCARBONYLAMINO BENZENE, AND PROCESSES FOR THEIR PREPARATIONValeant Pharmaceuticals North America, aa Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

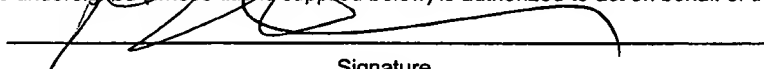
OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: inventors To: ASTA MEDICA AKTIENGESELLSCHAFTThe document was recorded in the United States Patent and Trademark Office at Reel 009562, Frame 0753, or for which a copy thereof is attached.2. From: ASTA MEDICA AKTIENGESELLSCHAFT To: VIATRIS GMBH & CO. KGThe document was recorded in the United States Patent and Trademark Office at Reel 013411, Frame 0778, or for which a copy thereof is attached.3. From: VIATRIS GMBH & CO. KG To: XCEL PHARMACEUTICALS, INC.The document was recorded in the United States Patent and Trademark Office at Reel 015190, Frame 0936, or for which a copy thereof is attached.☒ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Robert Chai-Chen

Printed or Typed Name

Vice President, Assistant Secretary

Title

February 17, 2006

Date

(714) 545-0100

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OR

B ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: XCEL PHARMACEUTICALS, INC. To: VALEANT PHARMACEUTICALS NORTH AMERICA  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
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# Delaware

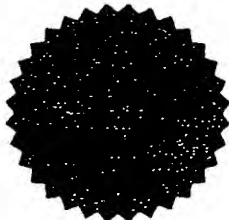
PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "XCEL PHARMACEUTICALS, INC.", CHANGING ITS NAME FROM "XCEL PHARMACEUTICALS, INC." TO "VALEANT PHARMACEUTICALS NORTH AMERICA", FILED IN THIS OFFICE ON THE SEVENTH DAY OF MARCH, A.D. 2005, AT 1:21 O'CLOCK P.M.

3348132 8100

050559074



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 4000488

DATE: 07-06-05

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 01:55 PM 03/07/2005  
FILED 01:21 PM 03/07/2005  
RV 050190697 - 3348132 FILE

**CERTIFICATE OF AMENDMENT OF  
AMENDED AND RESTATED CERTIFICATE  
OF INCORPORATION OF  
XCEL PHARMACEUTICALS, INC.**

**March 2, 2005**

Xcel Pharmaceuticals, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), hereby certifies as follows:

1. The name of the Corporation is Xcel Pharmaceuticals, Inc. and the date of filing of the original Certificate of Incorporation of this corporation with the Secretary of State of the State of Delaware is January 24, 2001 under the name MJBC Corp. On March 21, 2001, the Corporation filed a Certificate of Amendment to its Certificate of Incorporation. On each of March 29, 2001, June 24, 2002, and March 26, 2003, the Corporation filed an Amended and Restated Certificate of Incorporation. On February 9, 2005, the Corporation filed a Certificate of Amendment to its Certificate of Incorporation and on March 1, 2005, the Corporation filed a Certificate of Merger which Amended and Restated its Certificate of Incorporation.

2. Article FIRST of the Amended and Restated Certificate of Incorporation is hereby amended and, as so amended, shall read in its entirety as follows:

"FIRST. The name of the Corporation is Valeant Pharmaceuticals North America."

3. Pursuant to Section 242 of the General Corporation Law of the State of Delaware, this Certificate of Amendment of Amended and Restated Certificate of Incorporation has been adopted by the Corporation's Board of Directors.

4. Pursuant to Sections 228 and 242 of the General Corporation Law of the State of Delaware, this Certificate of Amendment of Amended and Restated Certificate of Incorporation has been adopted by the written consent of the sole stockholder of the Corporation.

IN WITNESS WHEREOF, Xcel Pharmaceuticals, Inc. has caused this Certificate of Amendment of Amended and Restated Certificate of Incorporation to be signed by its President and Chief Executive Officer, Timothy Tyson, as of the day and year first set forth above.

**XCEL PHARMACEUTICALS, INC.**



\_\_\_\_\_  
Timothy Tyson  
President and Chief Executive Officer

**CERTIFICATION REGARDING ASSETS**

STATE OF CALIFORNIA       §  
  §  
COUNTY OF ORANGE       §

Bary G. Bailey, being duly sworn, on oath, deposes and says that he is the Vice President and Treasurer of Xcel Pharmaceuticals, Inc., a Delaware corporation (the "Company") and that the total assets of the Company; as defined in subsection (i) of §503 of the Delaware General Corporation Law, are not less than \$10,000,000 as of March 2, 2005.

  
\_\_\_\_\_  
Name: Bary G. Bailey  
Title: Vice President and Treasurer

Sworn to and subscribed before me this 3<sup>rd</sup> day of March, 2005.

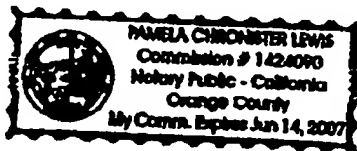
[SEAL]

  
\_\_\_\_\_  
Notary Public, State of California

My Commission Expires:  
June 14, 2007

Pamela Chronister Lewis  
\_\_\_\_\_  
Printed Name of Notary Public

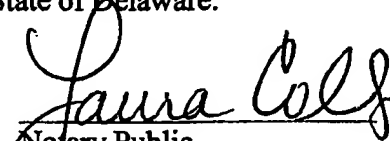
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41519-9 3/2/2005



STATE OF NEW YORK     )  
                                  )SS:  
COUNTY OF NEW YORK    )

**CERTIFICATE**

On the 7<sup>th</sup> day of July, 2005, I, Laura Collins, a Notary Public, in and for said State, do hereby certify that the attached document is true and correct copy of the original sealed document provided by the Office of the Secretary for the State of Delaware.

  
\_\_\_\_\_  
Notary Public

LAURA COLLINS  
Notary Public, State of New York  
No. 01CO6018661  
Qualified in Nassau County  
Commission Expires January 19, 2007